

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF WEST VIRGINIA
AT ELKINS**

MOUNTAIN VALLEY PIPELINE, LLC
Plaintiff,

v.

CA NO 2:24-cv-12 KleeH

JEROME JAMES WAGNER
Defendant.

**DEFENDANT JEROME JAMES WAGNER'S MOTION TO DISMISS
PURSUANT TO FED. R. CIV. P. 12(b)(2), 12(b)(5) and 12(b)(6)**

Pursuant to FED. R. CIV. P. 12(b)(2), 12(b)(5), and 12(b)(6), Defendant Jerome James Wanger, by Counsel, respectfully requests this Court to enter an order dismissing the Complaint in this matter for lack of personal jurisdiction, insufficient service of process, and failure to state a claim upon which relief can be granted.

In support of this motion, Defendant respectfully directs the Court's attention to the Memorandum of Law submitted herewith.

Respectfully submitted,

JEROME JAMES WAGNER

By Counsel

/s/ William V. DePaulo
William V. DePaulo, Esq. #995
P. O. Box 1711
Lewisburg, WV 24901
Phone: 304-342-5588
Fax: 866-850-1501
william.depaulo@gmail.com

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF WEST VIRGINIA
AT ELKINS**

MOUNTAIN VALLEY PIPELINE, LLC
Plaintiff,

v.

CIVIL ACTION NO 2:24-cv-12 Kleeh

JEROME JAMES WAGNER
Defendant.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion to Dismiss pursuant to Fed. R. Civ. P. 12(b)(2), 12(b)(5), and 12(b)(6) was filed electronically with the Clerk of the Court, via the CM/ECF system, this 1st day of July, 2024, and thereby served on Counsel for the Plaintiff as follows:

Timothy M. Miller, Esq. #2564
Matthew S. Casto, Esq. #8174
Robert M. Stonestreet, Esq. #9370
Jennifer J. Hicks, Esq. #11423
Austin D. Rogers, Esq. #13919
BABST CALLAND, P.C.
300 Summers Street, Suite 1000
Charleston, WV 25301
Tel: 681-205-8888
Fax: 681-205-8814

/s/William V. DePaulo
William V. DePaulo